

REMARKS

Claims 1-11 and 13-21 remain pending in the present application. Claim 1 has been amended. Basis for the amendments can be found throughout the specification, claims and drawings as originally filed.

REJECTION UNDER 35 U.S.C. § 112

Claims 1-11 and 13-21 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The basis for the Examiner's rejection is the concept that the base valve assembly 20 is in communication with the upper working chamber. The base valve assembly is not in direct communication with the upper working chamber. Check valve 32 in piston 12 allows fluid flow from the lower working chamber 26 to the upper working chamber 24 and valve 34 allows fluid flow from the upper working chamber 24 to the lower working chamber 26.

Regarding the single valve assembly limitation, it has been amended to the single valve assembly as being in direct communication with the upper and lower working chambers and the reserve chamber. While base valve 20 may be in direct communication with the lower working chamber and the reserve chamber, it is not in direct communication with the upper working chamber.

Regarding the first flow path recitation, it has been amended to define the first flow path as being the only direct flow path between the upper working chamber and the reserve chamber. Since the base valve 20 is not in direct communication with the upper working chamber, it cannot define a direct flow path extending between the upper working chamber and the reserve chamber.

Thus, Applicants believe Claim 1, as amended, overcomes the rejection under 35 U.S.C. § 112 and is thus believed to be allowable. Likewise, Claims 2-11 and 13-21 are also believed to be allowable.

ALLOWABLE SUBJECT MATTER

Claims 1-11 and 13-21 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. § 112, 1st paragraph, set forth in this Office Action. Applicants believe the 35 U.S.C. § 112, first paragraph rejection has been overcome and that Claims 1-11 and 13-21 are allowable.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

By:


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